REMARKS

Claims 62, 63, 65, 66, 68, 69, 89-103, 105-112, 114, 116, 117, 119, 121-128, and 142-192 were pending in this application before entry of the amendments made herein. Claims 124-126, 169-178 and 192 have been withdrawn by the Examiner as being drawn to non-elected inventions.

New claims 193-198 have been added. Support for the new claims can be found in the specification as follows:

New Claim(s)	Support in Specification
193	"method for inducing an immune response in a subject" (page 1, line 31 to page 2, line 3; page 8, lines 15-17; page 9, lines 17-22; page 15, lines 16-18; page 16, lines 3-6; page 17, lines 4-14; page 42, lines 4, 6, and 17; page 50, lines 15-17; page 70, lines 13-14; page 71, lines 3-6; page 101, lines 9-10; page 107, lines 14-17; and Example 4) "a composition comprising an isolated Tat protein, fragment or mutant in combination with a pharmaceutically acceptable carrier or excipient" (page 10, lines 15-16 and 30-31) "wherein said isolated Tat protein, fragment or mutant is biologically active, as shown by the ability of said isolated Tat protein, fragment or mutant to (i) become internalized by activated endothelial cells or dendritic cells...by fluorescence microscopy; or" (page 28, lines 14-15 and 24-27; and page 33, line 30 to page 34, line 1) "(ii) activate the proliferation, migration, and invasion of Kaposi's sarcoma (KS) cells or cytokine-activated endothelial cells in culture...at a concentration of up to 1 μg/ml; or" (page 14, line 31 to page 15, lines 1-2; page 15, lines 5-6) "(iii) activate virus replication...in cells transfected with HIV-1 promoter-reporter plasmid," (page 14, line 31 to page 15, lines 1-2; page 15, lines 7-10) "wherein said composition is pharmaceutically acceptable for administration to a human" (page 10, lines 15-16 and 30-31) "wherein the amino acid sequence of said mutant is SEQ ID NO:7, 8 or 9" (pages 37-38) "wherein the amino acid sequence of said fragment is SEQ ID NO:16 or 17" (page 28)
194, 198	page 10, line 18; page 25, lines 7-8 and 25; page 26, line 9; page 42, lines 8-9; and page 50, lines 13-14
195, 197	page 1, line 6; page 14, lines 19-21 and 29-30
196	"method for inducing an immune response in a subject" (page 1, line 31 to page 2, line 3; page 8, lines 15-17; page 9, lines 17-22; page 15, lines 16-

	18; page 16, lines 3-6; page 17, lines 4-14; page 42, lines 4, 6, and 17; page 50, lines 15-17; page 70, lines 13-14; page 71, lines 3-6; page 101, lines 9-10; page 107, lines 14-17; and Example 4) "a composition comprising an isolated Tat protein, fragment or mutant in combination with a pharmaceutically acceptable carrier or excipient" (page 10, lines 15-16 and 30-31) "wherein said isolated Tat protein, fragment or mutant is in a non-oxidated form" (page 24, lines 21-25) "wherein said composition is pharmaceutically acceptable for administration to a human" (page 10, lines 15-16 and 30-31) "wherein the amino acid sequence of said mutant is SEQ ID NO:7, 8 or 9" (pages 37-38) "wherein the amino acid sequence of said fragment is SEQ ID NO:16 or 17" (page 28)

No new matter has been added. Upon entry of the present amendments, claims 62, 63, 65, 66, 68, 69, 89-103, 105-112, 114, 116, 117, 119, 121-128, and 142-198 will be pending in the present application.

I. THE CLAIM REJECTIONS UNDER 35 U.S.C. § 112 SHOULD BE WITHDRAWN

The rejection of claims 62, 63, 65, 66, 68, 69, 89-103, 105-112, 114, 116, 117, 119, 121-123, 127, 128, 142-168, and 179-191 under 35 U.S.C. § 112, first paragraph ("Section 112, first paragraph"), as allegedly containing subject matter which was not described in the specification is maintained by the Examiner. Specifically, the Examiner contends that the specification, while being enabling for a composition comprising an isolated Tat protein, does not provide enablement for a Tat protein composition that is pharmaceutically acceptable for administration to a human. For the following reasons, Applicant disagrees.

1. The Legal Standard

Relevant case law regarding enablement was discussed in Applicant's Amendment filed May 1, 2007 (see pages 21-22), and is not repeated herein, except for the following, since it directly contradicts the position taken by the Examiner in the Office Action.

Even when the specification discloses multiple utilities of the claimed product, an applicant need show utility for only **one disclosed purpose** to satisfy the utility requirement under 35 U.S.C. § 101 and 35 U.S.C. § 112. *Raytheon Co. v. Roper Corp.*, 724 F.2d 951, 958-59, 220 U.S.P.Q. 592, 598 (Fed. Cir. 1983). When the dispositive issue is whether

sufficient evidence is put forth to establish an asserted utility, the issue may be raised under 35 U.S.C. § 101 and/or 35 U.S.C. § 112. *In re Jolles*, 628 F.2d 1322, 1326, 26 U.S.P.Q. 885, 889 (C.C.P.A. 1980). The Manual of Patent Examining Procedure (MPEP), Original Eighth Edition, August 2001, Latest Revision September 2007, states:

> regardless of the category of invention that is claimed (e.g., product or process), an applicant need only make one credible assertion of specific utility for the claimed invention to satisfy 35 U.S.C. 101 and 35 U.S.C. 112; additional statements of utility, even if not "credible," do not render the claimed invention lacking in utility.

See MPEP § 2107.02, subsection I, at page 2100-28, col. 1, ¶2, lines 5-11. The MPEP also states:

> when a compound or composition claim is not limited by a recited use, *any* enabled use that would reasonably correlate with the entire scope of that claim is sufficient to preclude a rejection for nonenablement based on how to use...if any use is enabled when multiple uses are disclosed, the application is enabling for the claimed invention.

See MPEP § 2164.01(c), at page 2100-195, col. 2, ¶5 (emphasis added).

2. <u>The Claims are Enabled by the Specification</u>

The Examiner's analysis of the *Wands* factors is not determinative of whether the presently claimed invention is enabled, since the Examiner's rejection appears to be based on an incorrect and improper reading of the claims. As previously discussed in the Amendment filed May 1, 2007 (see pages 23-25), the claimed composition can have multiple uses, including, but not limited to, use in the induction of an immune response against biologically active Tat and use in preclinical and/or clinical studies in the development of AIDS vaccine. It is improper for the Examiner to import into the instantly claimed composition a "use limitation" from the specification. *See* MPEP § 2111.01, subsection II, at pages 2100-38 and 2100-39. It is also irrelevant that the alternative intended use limitation of inducing an immune response is not a feature recited in the claims.

Moreover, when a composition is not limited by a recited use, if any use is enabled when multiple uses are disclosed, the utility requirement of Section 101 and Section 112 are satisfied. *Raytheon Co. v. Roper Corp.*, 724 F.2d at 958-59; *see also* MPEP § 2107.02,

subsection I, at page 2100-28, col. 1, ¶2. Since use to generate an immune response is a patentable utility that is enabled, the Examiner's rejection clearly is in error.

The Examiner contends that the claim recitation "pharmaceutically acceptable for administration to a human" "excludes the immune induction aspect of the invention as asserted by the Applicant" (see Office Action, page 5, ¶2, lines 4-6). The Examiner is incorrect. Applicant submits that the language of the claims, and the specification, do not warrant such a narrow reading of the claims. During examination, the pending claims must be given their broadest reasonable interpretation which is consistent with the specification and with the interpretation that those skilled in the art would reach. *In re Hyatt*, 211 F.3d 1367, 1372, 54 U.S.P.Q.2d 1664, 1667 (Fed. Cir. 2000); *see also In re Cortright*, 165 F.3d 1353, 1359, 49 U.S.P.Q.2d 1464, 1468 (Fed. Cir. 1999).

As previously discussed in the Amendment filed June 14, 2006 (see pages 16-18) and the Amendment filed May 1, 2007 (see pages 14-15), the claim limitation "pharmaceutically acceptable for administration to a human" requires the claimed compositions to be sufficiently safe for administration to human patients such that it can be dispensed and sold as a drug, and thus it must meet the criteria for safety defined by regulatory agencies such as the Food and Drug Administration (FDA) and the European Agency for the Evaluation of Medicinal Products (EMEA), *i.e.*, the composition does not contain ingredients that the skilled artisan would know, based on knowledge common in the art, would result in denial of regulatory approval for marketing as a drug for humans. Thus, this claim limitation is an attribute or characteristic of the claimed composition, and is not a use limitation.

Clearly, something that is "pharmaceutically acceptable for administration to a human" can be administered to induce an immune response and/or treat HIV in a human, as non-limiting examples of uses. The Examiner correctly acknowledges "that the claimed composition has alternative use than an HIV vaccine" (see Office Action, page 5, ¶4, lines 1-3). This alternative use is clearly enabled, as shown by the evidence presented by way of the Second Declaration of Barbara Ensoli, M.D., Ph.D. Under 37 C.F.R. § 1.132 ("Second Ensoli Declaration") accompanying the Amendment filed May 1, 2007). As discussed on pages 24-25 of the Amendment filed May 1, 2007, a human clinical trial showed that a claimed composition was safe and well tolerated in all subjects in the preventive and therapeutic phase I trials, and induced both humoral and cellular immune responses (see ¶¶2-21 of the

Second Ensoli Declaration). The Examiner has provided no objective evidence to the contrary. Thus, this aspect of the rejection is obviated.

The Examiner further contends that

> the instant specification does not enable the claimed composition because Applicant's own disclosure of the invention indicates the use of PMSF or HPLC in the preparation of the Tat protein (page 25, lines 5-7 and 15), which, according to Applicant, render the composition not pharmaceutically acceptable for administration to a human because the TFA and acetonitrile from the HPLC steps and the PMSF are very toxic (see Office Action, page 5, ¶4, lines 7-11).

The Examiner therefore concludes that Applicant's own argument negates Applicant's assertion about the safety and the positive clinical outcome of the claimed composition. The Examiner thus confuses what is produced by the references cited in the specification with what is claimed. As discussed at length in the Amendment filed May 1, 2007 (see pages 15-17), the claimed composition differs from what is produced by the references cited in the specification, such as Chang, by virtue of being "pharmaceutically acceptable for administration to a human." While the specification teaches that a biologically active Tat protein can be produced using (i) HPLC and ion-exchange chromatography, or (ii) heparin affinity chromatography, such as taught by the references cited in the specification, it is well within the routine skill of one skilled in the art, without undue experimentation, to modify the procedures of references such as Chang so as to avoid contamination with toxic compounds and thus obtain the claimed composition.

Applicant also respectfully directs the Examiner's attention to the Declaration of Mauro Magnani, Ph.D. Under 37 C.F.R. § 1.132 ("First Magnani Declaration") accompanying the Amendment filed May 1, 2007. While the specification indicates the use of phenylmethylsulfonyl fluoride (PMSF) or high performance liquid chromatography (HPLC) in the preparation of the Tat protein, Applicant submits that the First Magnani Declaration clearly shows that a person skilled in the art as of December 1, 1997, based on the teaching of the specification and knowledge common in the art as of December 1, 1997, and using only routine experimentation, could avoid the use of PMSF and the acetonitrile/TFA solvent system in HPLC in order to obtain a Tat composition that is pharmaceutically acceptable for administration to a human.

Both the Second Ensoli Declaration and the First Magnani Declaration are entitled to consideration and some weight, since they are not on the ultimate legal conclusion at issue. *See* MPEP § 716.01(c), subsection III, at page 700-291, col. 1, ¶2. The Examiner has not explained why the declarations are not convincing. In fact, the Examiner makes no mention of either declaration in the instant Office Action.

Furthermore, Applicant submits herewith a Supplemental Declaration of Mauro Magnani, Ph.D. Under 37 C.F.R. § 1.132 ("Supplemental Magnani Declaration"), which provides further evidence that one skilled in the art as of December 1, 1997 could obtain a composition containing a biologically active Tat that is pharmaceutically acceptable for administration to a human, based on the teaching of the specification of the '534 application and knowledge common in the art as of December 1, 1997, and using only routine experimentation.

It was commonly known in the art as of December 1, 1997 that a combination of purification steps should yield improved purification over a single one of the purification steps, and when isolating a recombinant protein from bacterial cells, improved purification would, for example, decrease levels of endotoxin in the resulting protein preparation, a result known to be desirable when purifying a protein for human therapeutic use (see ¶4 of the Supplemental Magnani Declaration and ¶6 of the First Magnani Declaration). The article by Takacs *et al.*, "Purification of clinical grade proteins produced by recombinant DNA technologies," J Immunol Methods. 1991 Oct 25;143(2):231-40 (made of record as reference C197 in the Supplemental Information Disclosure Statement submitted herewith) demonstrates this desirability (see ¶4 of the Supplemental Magnani Declaration). It was also commonly known in the art as of December 1, 1997 that, when choosing a combination of purification steps selected from those taught in the specification, a person skilled in the art would choose to include heparin affinity chromatography rather than HPLC, since the use of PMSF in heparin affinity chromatography could be avoided by routine experimentation, such as by expressing the protein of interest in a bacterial system that is deficient in proteases or by carrying out the initial step(s) of purification at 4°C, which are methods commonly known in the art (see ¶5 of the Supplemental Magnani Declaration and ¶¶9 and 10 of the First Magnani Declaration). For example, it was known in the art as of December 1, 1997 that purifying a protein at a pH or a temperature that renders proteases inactive but that is not harmful to the protein of interest, *e.g.*, near 0°C, is desirable to prevent damage due to

protease digestion (see ¶5 of the Supplemental Magnani Declaration). One skilled in the art as of December 1, 1997 also would know that immediate application of purification procedures to the protein preparation would also reduce protease digestion of the protein being purified, since the more quickly other proteins such as proteases are separated from the protein of interest, the less time there is for proteolytic digestion of the protein to occur (see ¶5 of the Supplemental Magnani Declaration). A person skilled in the art as of December 1, 1997 also could avoid the use of PMSF by directly collecting broken cell suspensions into a beaker containing solid guanidine hydrochloride, which, among other things, acts as a protease inhibitor (see ¶6 of the Supplemental Magnani Declaration).

Thus, a person skilled in the art as of December 1, 1997 would know that a combination of purification steps should result in increased purification and thus reduced endotoxin levels and reduced protease activity, and would believe that such combination is desirable, and could avoid the use of undesirable chemicals such as PMSF by routine experimentation, and thus, would choose to include heparin affinity chromatography rather than HPLC when choosing a combination of purification steps selected from those taught in the specification (see ¶7 of the Supplemental Magnani Declaration). Indeed, the biologically active Tat used in the human clinical trial described in the Second Ensoli Declaration was expressed in a protease deficient *E. coli* strain, purification was achieved by performing ion exchange chromatography and heparin affinity chromatography immediately after cell disruption, with all purification steps being performed at about 4°C (see ¶8 of the Supplemental Magnani Declaration). Therefore, a person skilled in the art as of December 1, 1997, based on the teaching of the specification and knowledge common in the art as of December 1, 1997, and using only routine experimentation, could combine the ion-exchange chromatography and heparin affinity chromatography steps as described in the specification in the appropriate order and in the absence of PMSF to obtain a Tat composition that is pharmaceutically acceptable for administration to a human (see ¶9 of the Supplemental Magnani Declaration).

For the foregoing reasons, Applicant submits that one skilled in the art, based on the teaching of the specification coupled with information known in the art at the time the patent application was filed, can make and use the presently claimed invention without undue experimentation. Thus, the rejection is in error and should be withdrawn.

II. THE CLAIM REJECTION UNDER 35 U.S.C. § 102 SHOULD BE WITHDRAWN

The rejection of claims 62, 63, 65, 66, 68, 69, 89, 90, 93, 94, 106, 107, 128, 142-150, 152, 153, 155-159, 161, 162, 164-168, 179-183, 185, and 186 under 35 U.S.C. § 102(b) ("Section 102(b)") as allegedly being anticipated by Chang *et al.* (AIDS. 1997 Oct;11(12):1421-31, "Chang") is maintained by the Examiner. Specifically, the Examiner contends that the specification describes the same purification protocol disclosed in Chang, and is silent on whether the final Tat composition is rid of the HPLC solvents. For the following reasons, Applicant disagrees.

The relevant case law regarding anticipation was discussed in Applicant's Amendment filed May 1, 2007 (see pages 12-14), and is not repeated herein.

As noted above, the Examiner has confused the composition produced by certain references cited in the specification (*e.g.*, Chang) with the composition that is claimed. They are not the same compositions, at least for the clear reason that the claimed composition is "pharmaceutically acceptable for administration to a human," as specifically recited in claims 62 and 179. While Chang discloses the same purification methods taught in the specification, the purification methods of Chang do not inevitably produce the claimed composition, because the purification methods of Chang do not avoid contamination of the resulting biologically active Tat with the PMSF and the HPLC solvents which render the resulting biologically active Tat composition not pharmaceutically acceptable for administration to a human.

It is not sufficient that a teaching of a prior art reference *could* yield a result that would anticipate the claim against which the prior art reference is applied; instead, to be anticipatory under the doctrine of inherency, the teaching of the prior art reference *must inevitably* lead to the result. *In re Oelrich*, 666 F.2d 578, 581 (citing *Hansgirg v. Kemmer*, 102 F.2d 212, 214, 40 U.S.P.Q. 665, 667 (C.C.P.A. 1939)); *Hughes Aircraft Co. v. U.S.*, 8 U.S.P.Q.2d 1580, 1583 (emphasis added).

The Examiner alleges in support of the Section 102(b) rejection that Applicant has failed to address the issue that the specification cites the Chang reference and includes PMSF in the heparin affinity chromatography step. Applicant respectfully points out that Applicant has not addressed this issue in response to the Section 102(b) rejection because it is legally irrelevant to the Section 102(b) rejection, since the specification does not limit the claims.

Applicant instead has fully addressed this issue in the response to the Section 112, first paragraph rejection above.

The Examiner further contends that "Applicant has not produced any objective evidence to support the assertion that the Chang composition is not 'pharmaceutically acceptable for administration to a human'" (see Office Action, page 7, ¶1, lines 9-11). Contrary to the Examiner's allegation, Applicant has provided objective evidence by way of the Declaration of Barbara Ensoli, M.D., Ph.D. Under 37 C.F.R. § 1.132 ("First Ensoli Declaration") and the Declaration of Shayne Gad, Ph.D. Under 37 C.F.R. § 1.132 ("First Gad Declaration") accompanying the Response filed December 13, 2005, and the Second Declaration of Shayne Gad, Ph.D. Under 37 C.F.R. § 1.132 ("Second Gad Declaration") accompanying the Amendment filed June 14, 2006, to support the assertion that the resulting Tat compositions from the purification methods of Chang are not pharmaceutically acceptable for administration to a human.

As previously discussed in the Amendment filed May 1, 2007 (see pages 15-17), the purification methods disclosed by Chang fail to explicitly and inherently disclose a Tat composition that is pharmaceutically acceptable for administration to a human, and thus, cannot anticipate the claimed subject matter.

Regarding the first purification method of Chang, (as that method is referred to in the Response filed December 13, 2005), Chang is silent as to whether the resulting Tat composition is pharmaceutically acceptable for administration to a human, and thus, does not *explicitly* anticipate the claimed composition. Since the resulting Tat composition *may*, and did in fact, include acetonitrile and TFA from the HPLC step (see ¶6 of the First Ensoli Declaration), the first purification method of Chang would not *necessarily*, *inevitably*, and *always* be pharmaceutically acceptable for administration to a human, and thus, does not *inherently* anticipate the claimed composition.

Regarding the second purification method of Chang, (as that method is referred to in the Response filed December 13, 2005), Chang explicitly states that PMSF is included in the resulting Tat composition, and thus, would render the composition unsuitable for regulatory approval for human administration (see ¶7 of the Second Gad Declaration), *i.e.*, not pharmaceutically acceptable for administration to a human. Clearly, the fact that the Tat composition contains PMSF means that the second purification method of Chang does *not*

inherently teach a Tat composition that is pharmaceutically acceptable for administration to a human.

For the foregoing reasons, the Tat compositions obtained by the purification methods disclosed by Chang are neither explicitly nor inherently disclosed by Chang to be pharmaceutically acceptable for administration to a human, as recited in claims 62 and 179. Therefore, Chang does not teach each and every element of claims 62 and 179, and thus, their respective dependent claims. Withdrawal of the Section 102(b) rejections is respectfully requested.

III. THE CLAIM REJECTIONS UNDER 35 U.S.C. § 103 SHOULD BE WITHDRAWN

The rejections of various claims under 35 U.S.C. § 103(a) ("Section 103(a)") as allegedly being obvious over Chang in view of (1) the web pages entitled "HIV Vaccines: Where are we Going?" (http://www.niaid.nih.gov/daids/vaccine/1998nature.htm, "Heiman"); (2) Vogel *et al.* (Vogel FR, Powell MF. 1995. A compendium of vaccine adjuvants and excipients. In: Powell MF, Newman MJ, editors. Vaccine design: The Subunit and Adjuvant Approach. Plenum, New York, "Vogel"); (3) Castignolles *et al.* (Vaccine. 1996 Oct;14(14):1353-60, "Castignolles"); (4) Ramshaw *et al.* (J Immunol Methods. 1977;18(3-4):251-5, "Ramshaw"); (5) Livingston *et al.* (J Immunol. 1997 Aug 1;159(3):1383-92, "Livingston"); or (6) Barry *et al.* (Clin Pharmacokinet. 1997 Mar;32(3):194-209, "Barry") are maintained by the Examiner. The Examiner states that the rejections are maintained for the same reason as the above Section 102(b) rejection is maintained.

1. The Legal Standard

A finding of obviousness requires that "the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains." 35 U.S.C. § 103(a). In its recent decision addressing the issue of obviousness, *KSR International Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 82 U.S.P.Q.2d 1385 (2007), the Supreme Court stated that the following factors set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 U.S.P.Q. 459 (1966) still control an obviousness inquiry: (1) the scope and content of the prior art; (2) the differences between the prior art and the claimed invention; (3) the level of ordinary skill in the art; and (4) objective evidence of

nonobviousness. *KSR*, 127 S.Ct. at 1734, 82 U.S.P.Q.2d at 1388 quoting *Graham*, 383 U.S. at 17-18, 14 U.S.P.Q. at 467; *see also* Examination Guidelines for Determining Obviousness Under 35 U.S.C. 103 in View of the Supreme Court Decision in *KSR International Co. v. Teleflex Inc.*, Federal Register, Vol. 72, No. 195, October 10, 2007, pages 57527-57528. The Supreme Court also stated that it is "important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does...." *KSR*, 127 S.Ct. at 1741, 82 U.S.P.Q.2d at 1396.

2. The Claims are Not Obvious in View of the References

As previously discussed in the Amendment filed May 1, 2007 (see pages 18-19), there is no teaching or suggestion in Chang of a composition comprising an isolated Tat protein, fragment or mutant in combination with a pharmaceutically acceptable carrier or excipient, wherein the composition is pharmaceutically acceptable for administration to a human.

Regarding the first purification method of Chang, Chang's silence as to the HPLC solvent(s) used cannot be used as a basis for the Section 103(a) rejection, since "obviousness cannot be predicated on what is unknown." *In re Spormann*, 363 F.2d at 448. Regarding the second purification method of Chang, the resulting Tat composition contains PMSF, which clearly renders it *not* pharmaceutically acceptable for administration to a human, and there is no suggestion in Chang to avoid the use of PMSF.

There is also no suggestion or motivation in Chang, or in any of the other references cited in support of the Section 103(a) rejection, to modify the purification methods of Chang so that PMSF and other components that are not pharmaceutically acceptable for administration to a human are avoided, especially in view of the prejudice in the art against administering a *biologically active* Tat (see specification, page 10, lines 4-8; and discussion on page 19 of the Amendment filed May 1, 2007). Thus, although it would be well within the routine skill of one skilled in the art to avoid such components (see discussion in response to the Section 112, first paragraph rejection above), faced with Chang and the other prior art, one skilled in the art would have no common sense reason to do so. *See KSR*, 127 S.Ct. at 1736. Accordingly, the combination of Chang plus any of Heiman, Vogel, Castignolles, Ramshaw, Livingston, or Barry does not teach or suggest the presently claimed invention.

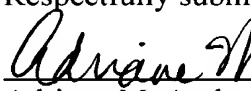
In view of the foregoing, Applicant respectfully submits that the Section 103(a) rejections are in error and respectfully requests the Examiner to withdraw the rejections.

CONCLUSION

Applicant respectfully requests entry of the amendments and remarks made herein into the file history of the present application. Withdrawal of the Examiner's rejections and an allowance of the application are earnestly requested. If any issues remain in connection herewith, the Examiner is respectfully invited to telephone the undersigned to discuss the same.

Respectfully submitted,

Date: October 22, 2007



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Enclosures